IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICITON

NOTICE OF MOTION NO.2930 OF 2005
WITH
INCOME TAX APPEAL (L) NO.1190 OF 2005

The Commissioner of Income Tax-3 .. Applicant.

Versus

M/s.Bhagirath Traders Pvt.Ltd. .. Respondent.

Mr.B.M. Chatterjee with Mrs.P.P. Bhosale for the applicant.

Mr.J.D. Mistry with Mr.Raj Darak for the respondent.

CORAM : F.I. REBELLO &
J.P. DEVADHAR, JJ.

DATED : 3RD SEPTEMBER, 2007.

P.C. :

1. As the tax incidence is less than Rs.4,00,000/- and in the light of Board's circular, learned counsel for the appellant seeks leave to withdraw the notice of motion and the appeal. Question of law, if any, left open for consideration in other appropriate case.

2. Notice of Motion as also the Appeal dismissed as withdrawn. Refund of Court fee as per rules. Certified copy expedited.

(J.P. DEVADHAR, J.) (F.I. REBELLO, J.)